

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
Wheeling**

JEREMY COLTON LIGHT,

Plaintiff,

v.

Civil Action No. 5:23-CV-207
Judge Bailey

**C.O. MILINI, ANGELO J. VIANI,
KATHERINE N. HESS, CAPTAIN D.
BAILEY, JOHN ANDERSON, SALEM
CORRECTIONAL CENTER, DIVISION
OF CORRECTIONS, STATE OF
WEST VIRGINIA,**

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION

The above referenced case is before this Court upon the magistrate judge's recommendation that the complaint be dismissed.

This Court is charged with conducting a *de novo* review of any portion of the magistrate judge's report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636(b)(1). However, absent prompt objection by a dissatisfied party, it appears that Congress did not intend for the district court to review the factual and legal conclusions of the magistrate judge. ***Thomas v. Arn***, 474 U.S. 140 (1985). Additionally, any party who fails to file timely, written objections to the magistrate judge's report pursuant to 28 U.S.C. § 636(b)(1) waives the right to raise those objections at the appellate court level. ***United***

States v. Schronce, 727 F.2d 91 (4th Cir. 1984), *cert. denied*, 467 U.S. 1208 (1984). No objections have been filed to the magistrate judge's report and recommendation.

Accordingly, a review of the record indicates that the magistrate judge's report accurately summarizes this case and the applicable law. Accordingly, the magistrate judge's report and recommendation [Doc. 14] is **ADOPTED**. Plaintiff's complaint [Doc. 1] is **DISMISSED WITH PREJUDICE** as to defendants Viani, Hess, Bailey, Anderson, Salem Correctional Center, Division of Corrections, and State of West Virginia; and **DISMISSED WITHOUT PREJUDICE** as to defendant Milini.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to any counsel of record and to mail a copy to plaintiff.

DATED: August 14, 2023.



JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE